

Application No. 09/784,158
Response to Office Action Dated April 3, 2007
Reply to Office Action of January 18, 2006

Attorney Docket No. 7060/70479

REMARKS

I. INTRODUCTION

Preliminarily, applicants thank the Examiner for indication that claims 1-7, 13-21 and 25 are allowable, and that claims 8-12, 26-28, 31-37, and 50-51 would be allowed if the outstanding rejection under §112 of these claims is overcome.

The application stands with claims 1-21, 25-28, 31-37, 50 and 51 where claims 1, 8, 13, 26, and 32 are independent claims. Herein, claims 8, 26, and 32 have been amended to include suggestions by the Examiner to overcome rejections based on 35 U.S.C. §112 as explained below, and claims 34 and 36 are amended to correct an informality (the occurrence of a duplicated “the”).

II. OBJECTION TO THE DRAWINGS

The Examiner objects to Figure 7 for containing hand written numeral indicators. Applicants hereby submit Replacement Sheet, Page 7 of 9 to correct this informality.

III. §112 REJECTION OF CLAIMS 8-12, 26-28, 31, 37, AND 50-51

Claims 8-12, 26-28, 31-37, and 50-51 stand rejected under 35 U.S.C. §112, second paragraph. Specifically, the Examiner asserts that certain phrases starting with the word “for” recited in independent claims 8, 26, and 32 suggests that these phrases are mere use phrases that can be ignored. While Applicants disagree with this conclusion, Applicants nevertheless amended these claims to state “to” phrases as recited above and as the Examiner suggests in order to expedite prosecution. Applicants also deleted the unnecessary word “disposed” from claim 8 as suggested by the Examiner. For these reasons, Applicants submit that the §112 rejection of claims 8, 26, and 32 and their

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depending claims has been overcome and respectfully request that these rejections be withdrawn.

In addition, claim 26 stands rejected under 35 U.S.C. §112, second paragraph, since no element in claim 26 expressly recites the result suggested in the preamble of claim 26 ("A system for monitoring activity of another system"). The Examiner asserts claim 26 appears to be missing "a step." In response, Applicants respectfully traverse because claim 26 is not a method claim. Thus, claim 26 recited components of a system for monitoring activity that Applicants assert is a novel combination including a vector selector. No rule exists that requires the positive recitation of the result of a system in as long as one of ordinary skill in the art understands the scope of the claim. For this additional reason, Applicants submit that the §112 rejection of claim 26 has been overcome, and respectfully request that this rejection of claim 26 and its depending claims should be withdrawn.

IV. CONCLUSION

In view of the foregoing, Applicants respectfully request reconsideration and allowance of all pending claims. The Examiner is invited to contact the undersigned attorney to expedite prosecution.

Respectfully submitted,
FITCH, EVEN, TABIN & FLANNERY

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